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# Congress of the United States

## House of Representatives

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April 17, 2007

The Honorable Condoleezza Rice  
Secretary  
Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Madam Secretary:

I appreciate the effort devoted to the April 17, 2007, letter to me from Jeffrey T. Bergner, Assistant Secretary for the Bureau of Legislative Affairs at the Department of State. As a result of this letter, I have postponed the scheduled vote for a subpoena for your appearance before the Committee from tomorrow to April 25. I hope we can use this time to schedule your voluntary appearance before the Committee prior to the Memorial Day recess.

The reason your testimony remains essential is because Mr. Bergner's letter does not answer the Committee's questions about your personal knowledge of, your personal role in, and your personal statements about the claim that Iraq sought to import uranium from Niger.

One of the Committee's central questions is what you personally know about how the fabricated claim that Iraq sought uranium from Niger made it into the President's State of the Union address, the most heavily vetted speech given by any public official. Mr. Bergner's letter says that "Steve Hadley and Dan Bartlett held a press briefing to explain in great detail how the speech had been developed." Providing the Committee with the views of Mr. Hadley and Mr. Bartlett is not the same as providing the Committee with your personal knowledge.

A second important question is whether you knew about the doubts raised by the CIA and the State Department about the Niger claim prior to its inclusion in the State of the Union address and your *New York Times* op-ed. Mr. Bergner's letter refers the Committee to an old press interview in which you said you either did not see or did not remember a CIA memo to you that raised doubts about the Niger claim. Of course, this does not answer whether you had conversations with Mr. Hadley, Mr. Tenet, or others about the Niger claim. It also does not answer whether you were aware of the prominent warning in the "Key Judgments" section of the National Intelligence Estimate that the State Department had an "alternative view" about the evidence that Iraq was actively pursuing nuclear weapons.

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Nor does Mr. Bergner's letter answer the Committee's questions about what kind of investigation you conducted before appearing on national television in June 2003 and erroneously asserted that "no one ... in our circles" knew about the problems with the Niger claim.

Mr. Bergner's letter is mainly a collection of snippets of public statements that you and other White House officials have made over the years about the fabricated Niger claim. The full record of your public statements on this issue, however, is confusing and contradictory. You stated repeatedly on national television in June 2003 that no one at the White House was informed about the intelligence community's doubts about the Niger claim prior to the President's State of the Union address. Subsequent disclosures have shown this to be erroneous. I hope you can understand that the Committee cannot accept a selective compilation of your past public statements as responsive to the Committee's request.

At several points, Mr. Bergner's letter makes references to prior investigations into the Niger claim. These references, however, do not answer the questions raised in my letters for a simple reason: the reports cited by Mr. Bergner did not examine how White House officials like you used the intelligence on Iraq.

Mr. Bergner's letter also fails to answer other questions raised in my correspondence with you, including questions about the seemingly inconsistent White House responses to security breaches and the selection of delegates to international conferences.

At this point, further exchanges of letters may not be helpful. I hope we can work together over the next week to schedule a voluntary appearance by you before the Committee. This would eliminate the need for the use of any compulsory process by the Committee and, I believe, best serve the public interest.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive, flowing style.

Henry A. Waxman  
Chairman

cc: Tom Davis  
Ranking Minority Member